HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 5368 of 2007

DATED: 16-03-2007

Between:

G.Naga Lakshmi

…Petitioner

and

The Revenue Divisional Officer,
Adoni,
Kurnool District and another

…Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 5368 of 2007

ORAL ORDER:

On the basis of the complaint of the 2nd respondent regarding irregularities committed by the petitioner, a Fair Price Shop Dealer of Pedda Nealatur Village, Gonegandal Mandal, Kurnool District, a show cause notice was issued to the petitioner to submit her explanation. The petitioner submitted her explanation on 30-12-2006. Considering the report and the explanation, the 1st respondent found a prima facie case of irregularity and pending detailed enquiry into the allegations, passed the impugned order suspending her authorization for a period of three months.

The petitioner's contention is that as the show cause notice was issued and explanation submitted, the impugned order is in the nature of a substantive penalty; as it is an order disclosing no reasons; a decision or analysis on the substance of the allegations; and is bereft of any conclusion as to the petitioner's guilt, the impugned order is unsustainable.

Ex facie and even textually, the order is one of suspension pending detailed enquiry. It is not a final order of substantive suspension.

In the circumstances, the order suffers from no infirmity warranting interference of this Court. The writ petition is accordingly dismissed at the stage of admission, after hearing the learned Government Pleader for Civil Supplies also. The 1st respondent is

directed to expeditiously and in any event within a period of (60) days from the date of receipt of a copy of this order conclude the enquiry against the petitioner, into the allegations leading to the impugned order of suspension. There shall be no order as to costs.

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GODA RAGHURAM, J

16-03-2007
GRR